

FIRST REGULAR SESSION
[TRULY AGREED TO AND FINALLY PASSED]

SENATE BILL NO. 26

95TH GENERAL ASSEMBLY

2009

0393S.02T

AN ACT

To repeal section 578.255, RSMo, and to enact in lieu thereof one new section relating to alcohol beverage vaporizers.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Section 578.255, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 578.255, to read as follows:

578.255. 1. **As used in this section, "alcohol beverage vaporizer" means any device which, by means of heat, a vibrating element, or any other method, is capable of producing a breathable mixture containing one or more alcoholic beverages to be dispensed for inhalation into the lungs via the nose or mouth or both.**

2. No person shall intentionally or willfully induce the symptoms of intoxication, elation, euphoria, dizziness, excitement, irrational behavior, exhilaration, paralysis, stupefaction, or dulling of the senses or nervous system, distortion of audio, visual or mental processes by the use of any [solvent, particularly toluol] **of the following substances:**

(1) **Solvents, particularly toluol; or**

(2) **Ethyl alcohol.**

3. **This section shall not apply to substances that have been approved by the United States Food and Drug Administration as therapeutic drug products or are contained in approved over-the-counter drug products or administered lawfully pursuant to the order of an authorized medical practitioner.**

[2.] 4. No person shall intentionally possess any solvent, particularly toluol, for the purpose of using it in the manner prohibited by section 578.250 and

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

20 this section.

21 **5. No person shall possess or use an alcoholic beverage**
22 **vaporizer.**

23 **6. Nothing in this section shall be construed to prohibit the legal**
24 **consumption of intoxicating liquor, as defined by section 311.020,**
25 **RSMo, or nonintoxicating beer, as defined by section 312.010, RSMo.**

✓

Unofficial

Bill

Copy